

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application) ORDER REVERTING POINT OF
T-7928, Marion County) DIVERSION

Authority

OAR 690-380-6010(6) provides that a point of diversion or appropriation shall revert to the last authorized point of diversion or appropriation if the changes authorized under a transfer are not completed.

Applicant

CITY OF SALEM
ATTN: JASON PULLEY, UTILITIES PLANNING COORDINATOR
555 LIBERTY ST SE
SALEM, OR 97301

Findings of Fact

1. On February 10, 1998, the City of Salem filed an application to add a point of diversion under Certificates 51535, 51735 and 80852. The Department assigned the application number T-7928.
2. On December 20, 2004, the Water Resources Department issued an order approving the proposed additional point of diversion and identifying some scrivener's errors in the diversion rate and place of use description in Certificate 80852. The order was recorded in Special Order Volume 62, Page 327.
3. On March 16, 2011, the Department issued an order extending the time for completion to October 1, 2020. The order was recorded in Special Order Volume 83, Page 819.
4. On July 15, 2013, Jason Pulley, Utilities Planning Coordinator for the City of Salem, notified the Department that the changes authorized under T-7928 would not be completed and requested that the rights revert back to the original points of diversion.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Now, therefore, it is ORDERED:

The additional point of diversion authorized under Application T-7928 will no longer be authorized, and new certificates will be issued, reverting the rights to the points of diversion authorized prior to the transfer. Superseding certificates for the rights affected by the transfer shall be issued, including corrections of the scrivener's errors identified in Certificate 80852.

Dated at Salem, Oregon this 26 day of July, 2013.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing date: AUG 02 2013